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NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

v.

TROY CONTE,

Defendant.

No. 3-09-70280 EMC

[PROPOSED] ORDER EXTENDING STAY  
OF BAIL ORDER

Upon application of the United States of America, by and through its counsel, Joseph P. Russoniello, United States Attorney, and Christine Y. Wong, Assistant United States Attorney, of counsel, it is hereby found that:

On March 24, 2009, Magistrate Judge Edward M. Chen ordered the pre-trial release of Troy Conte.

Magistrate Judge Chen stayed the execution of his bail release order until noon on March 25, 2009 in order to allow the United States of America time to file an appeal with this Court.

An extension of Magistrate Judge Chen's stay is necessary in order to preserve the status quo during the pendency of the bail appeal and to avoid prejudice to the United States of America.

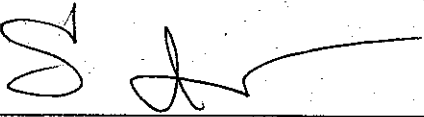
[PROPOSED] ORDER EXTENDING STAY

1 Accordingly, IT IS HEREBY ORDERED THAT:

2 Magistrate Judge Chen's stay of his bail order for Troy Conte shall be extended until such  
3 time as this Court is able to hear the appeal of the United States of America, which shall be  
4 placed on the first available calendar date of this Court.

5  
6 DATED: March 24, 2009

7  
8  
9 SO ORDERED.

10   
11  
12 HON. SUSAN ILLSTON  
United States District Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the office of the United States Attorney, Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned certifies that he caused copies of

APPLICATION AND UNSEALING ORDER

in the case of UNITED STATES v. ABRAHAM MARTINEZ, S1-CR 08-0730 WHA to be served on the parties in this action, by placing a true copy thereof in a sealed envelope, addressed as follows which is the last known address:

**Ron Tyler  
Public Defender's Office  
450 Golden Gate Ave  
San Francisco, CA 94102**

X (By Personal Service), I caused such envelope to be delivered by hand to the person or offices of each addressee(s) above.

\_\_\_\_ (By Facsimile), I caused each such document to be sent by Facsimile to the person or offices of each addressee(s) above.

\_\_\_\_ (By Mail), I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at San Francisco, California.

\_\_\_\_ (By Fed Ex), I caused each such envelope to be delivered by FED EX to the address listed above.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 25, 2009

Kevin Costello  
KEVIN COSTELLO  
United States Attorney's Office